

REMARKS

Applicants hereby amend Claims 3, 13, 14, 15 and 16. In view of the following discussion, Applicants respectfully request reconsideration of Claims 1-24 and submit that all of said claims are in condition for allowance.

With respect to the rejections raised in the Office Action, Claims 1, 6, 14 and 16 are rejected under 35 U.S.C. Sec. 103 as being unpatentable over Brooks and Ackerly while Claims 2-3, 8-11, 13 and 15 are rejected under Section 103 as being unpatentable over Brooks, Ackerly and Takagi. Claims 19-24 are allowed, and Claims 4, 7, 11, 17 and 18 are indicated as being objected to but are allowable if rewritten in independent form. Applicants have identified several informalities in this formulation of the rejections, which informalities are treated as follows.

Claim 5 is omitted from the Office Action, but since Claim 5 depends from allowable Claim 4, Claim 5 is considered to be allowable. Claim 11 is both rejected under Brooks, Ackerly and Takagi and also indicated as allowable. Since Claim 11 refers to a coating which feature is similar to allowed Claim 19, it seems that Claim 11 should have been indicated as allowable. Claim 12 is omitted from the listing of claims, but it seems Claim 12 would also be allowable. Despite the foregoing informalities, Applicants hereby respond to the pending rejections since it is not necessary to request clarification of the informalities to be able to respond to the rejections.

It is noted with appreciation that all of Claims 19-24 are allowed. As to the remaining dependent claims indicated as allowable, Applicants defer placing these claims in independent form pending reconsideration of the Office Action.

It is noted that all of the Section 103 rejections require the combination of Brooks and Ackerly. Without discussing the individual claims in detail at this time,

Applicants respectfully submit that there is no motivation to combine Brooks and Ackerly as suggested in the Office Action based upon the specification teachings of the references and the nature of the structures disclosed therein. Therefore, the following discussion first addresses the Brooks and Ackerly combination which discussion is believed equally applicable to independent Claims 1, 2, 6, 8 and 14-16.

Applicants also provide individualized discussion of selected claims herein.

As the rejections are understood, Brooks is cited as disclosing a panel 16 and rigid frame member 21 attached thereto, while Ackerly is cited as teaching that it is known to provide office furniture with a glass panel. However, this rejection as laid out in detail in the Office Action ignores several critical teachings of the Brooks and Ackerly patents.

As to Brooks, Brooks discloses a conventional system of wall panels 16 which are joined together. It is believed that Brooks discloses that these wall panels 16 may have any conventional wall panel construction and the representation of panels 16 in the Brooks patent is merely a generic illustration of any conventional wall panel 16. However, the very nature of a wall panel is that it is a complete wall unit by itself having some type of frame structure and a covering or cover tiles over the frame structure. The channel 21 disclosed in Brooks therefore is an add-on raceway which fits on to a top edge of the conventional wall panels or dividers 16 to retrofit wall panel 16 with a top edge raceway. The Brooks raceway, however, is not a structural frame member.

As to Ackerly, this patent admittedly discloses a wall panel structure with additional glass panels thereon. Each wall panel of the Ackerly system has an internal frame wherein either cover tiles 54 or glass panels 164 are mounted thereto. If Brooks and Ackerly are combined, this combination only discloses providing a retrofit raceway which snaps onto the

top edge of the Ackerly wall panels. The raceway is not mounted to a sheet of glass but would only mount to a complete wall panel. Thus, even in combined, Brooks and Ackerly do not disclose Applicants claimed invention.

More particularly, the wall panels 16 of Brooks are equivalent to the entire wall panel structure of Ackerly which Ackerly wall panel includes the internal frame as well as the cover tiles 54 or the glass panels 164. Therefore, the present rejection requires taking an isolated feature of Ackerly, namely a glass pane, removing the sheet of glass therefrom, and then replacing the entire structural wall panel 16 of Brooks with this sheet of glass in an effort to create Applicants claimed invention. However, the sheet of glass by itself does not serve as a space-dividing wall panel, but merely is a component of a cover feature which overlies the panel frame. The glass therefore is not the same as the wall panel 16. In this regard, Figures 4 and 5 of Brooks disclose work surfaces projecting from the wall panel 16. It would be well recognized by the skilled artisan that a work surface is not supported on a sheet of glass and that the wall panel 16 referenced therein is a conventional structurally rigid wall panel that has a frame and cover structure that allows the wall panel 16 to support heavy loads.

Further, one would not modify the glass panel of Ackerly since one would not place raceway channels on the peripheral edges of a glass panel, which glass panel then mounts to an internal wall panel frame.

It is believed that the present rejection based upon Brooks and Ackerly merely constitutes an effort to construct Applicants claimed invention by identifying isolated features from the prior art and then trying to combine these isolated features. This type of rejection necessarily requires an impermissible use of hindsight in order to identify and piece together the isolated features of the prior art.

In view of the foregoing, Brooks and Ackerly even if combined do not disclose, teach or suggest a sheet of glass with tight-fitting edge nails, and all of Claims 1-18 are believed in condition for allowance. Applicants also have additional comments as to several individual claims.

As to Claim 1, Claim 1 is not disclosed, taught or suggested if the Brooks raceway is mounted on the Ackerly wall panel since this combination does not disclose an edge rail having a glass edge of a sheet of glass in tight-fitting contact with two spaced apart walls of the edge rail.

As to Claim 2, Claim 2 defines the glass edge as being in tight-fitting gripping contact with the two channel walls of the edge rail. Also, it is not believed obvious to provide the raceway of Brooks with the ribs 14 and 18 of Takagi since these ribs 14 and 18 are believed to interfere with sliding of the raceway of Brooks onto a fabric covered wall panel 16. Accordingly, Claims 2-5 are believed in condition for allowance.

Dependent Claim 3 further defines that the glass edges are disposed in compression between the peak of the deflectable channel wall and an opposing interior surface of the other of the channel walls that is disposed directly opposite to the peak. The ribs 14 and 18 of Takagi are not disposed directly opposite to each other.

As to Claim 6, this claim also is distinguishable from Brooks and Ackerly since the glass edge is gripped by the two channel walls of the edge rail. Since it is not obvious to combine Brooks and Ackerly to construct Applicants claimed invention, the presence of the slots 54 in Brooks does not require further discussion.

As to Claim 8, Claim 8 defines a wall panel having a frame to define an open interior region wherein the glass panel thereof overlies the open interior region while

permitting viewing through the glass panel. This further distinguishes from Brook and Ackerly.

As stated above, the Brooks raceway only mounts to a complete wall panel 16. Claim 8, however, defines both a frame and a glass panel overlying the open interior region of the frame. Thus, the glass panel of Claim 8 is a component of an overall wall panel and not the entire wall panel itself. For these reasons, Claim 8-13 are allowable.

As to dependent Claim 13, this claim defines the interior wall surface as being in face-to-face contact with the respective opposing glass face directly opposite to the projection. As referenced above, Takagi does not disclose this arrangement.

As to independent Claim 14, this claim defines the wall panel as having a frame that defines a periphery of the wall panel wherein a glass panel is supported on the frame. The glass panel itself comprises a sheet of glass with edge rails. The Brooks raceway, however, mounts to an existing wall panel 16 and even if the wall panel 16 is replaced with a sheet of glass, this combination of a raceway with a sheet of glass is not mounted to an additional structure, particularly since the wall panel 16 itself is a space-dividing wall panel.

Independent Claims 15 and 16 similarly define a wall panel with a frame having a glass panel supported on the frame. As referenced above, Brooks and Ackerly do not disclose this combination.

In view of the foregoing discussion, all of Claims 1-24 are believed in condition for allowance. Further and favorable consideration of this application is respectfully solicited.

Respectfully submitted,

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